

REMARKS

Claims 40-43, 45-53, 59-64, 66, 71-73, 75 and 81-86 are pending. Claims 45, 82 and 83 are amended by deleting "all printed", which amendment should not narrow the scope of the claims. Descriptive support for the amendment to claim 84 can be found in the specification at page 8, line 13 to page 9, line 7.

Claims Allowed

Applicants would like to thank Examiner Kalafut for allowing claims 40-43.

Claim Rejections -- 35 U.S.C. 112, Second Paragraph

Applicants respectfully traverse the rejections of claims 45-53, 59-64, 66, 71-73, 81-83, 85 and 86 as indefinite because the claims recite "all printed". Applicants contend that one skilled in the art would understand that in the electrochemical cell according to the pending claims 45-53, 59-64, 66, 71-73, 81-83, 85 and 86, the separator layer is self-formed between the printed positive pole layer and printed negative pole layer. To make it more apparent, applicants have deleted "all printed" from claims 45, 82 and 83. Withdrawal of the rejections is requested.

Claim Rejections -- Double Patenting

Applicants respectfully traverse the rejections of claims 45-53, 59-64, 66, 71-73, 81-83, 85 and 86 for allegedly obviousness type double patenting over claims 1-84 of U.S. Patent No. 7,022,431. Without acquiescence with the obviousness allegation, applicants have attached a terminal disclaimer to advance prosecution. Withdrawal of the rejections is requested.

Claim Rejection -- 35 U.S.C. 102(b)

Applicants respectfully traverse the anticipatory rejection of claim 84 over Moser (US 3,660,163). Claim 84 has been amended to be directed to an electrochemical cell with controllable properties comprising, among other elements, an electrolyte and a self-formed separator. The Office Action dated February 28, 2007 indicates that the prior art does not

disclose an electrochemical cell having both an electrolyte and a self-formed separator.
Withdrawal of the rejection is requested.

CONCLUSION

The claims are believed to be allowable. Favorable action to that effect is respectfully requested.

The Examiner is invited to contact the undersigned at 202.220.4200 to discuss any issues regarding this application.

In the event that this filing is deemed not timely, applicants petition for an appropriate extension of time. The Office is authorized to charge any fees or credit any overpayment associated with this filing to Deposit Account No. 11-0600.

Respectfully submitted,
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Dated: October 10, 2007

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